

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
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CLERK-LAS CRUCES

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY RAY BACA, a.k.a. "Pup,"
CHRISTOPHER GARCIA,
MANUEL JACOB ARMIJO, a.k.a. "Big
Jake,"
FREDERICO MUNOZ, a.k.a. "Playboy,"
SERGIO LOYA RODRIGUEZ, a.k.a.
"Churro,"
MANUEL BENITO, a.k.a. "Panther,"
VINCENT GARDUÑO, a.k.a. "Fatal,"
MANDEL LON PARKER, a.k.a.
"Chuco,"
DANIEL ARCHULETA, a.k.a. "Smurf,"
DANIEL SANCHEZ, a.k.a. "Dan Dan,"
ANTHONY CORDOVA, a.k.a. "Antone,"
and RICHARD GALLEGOS a.k.a.
"Dopey,"

Defendants.

CRIMINAL NO. 16CR1613 JB

Count 1: 18 U.S.C. § 1962(d):
Racketeering Conspiracy;

Counts 2 and 4: 18 U.S.C. § 1959(a)(1):
Violent Crimes in Aid of Racketeering
(Murder); and 18 U.S.C. § 2: Aiding and
Abetting;

Count 3: 18 U.S.C. § 1959(a)(5): Violent
Crimes in Aid of Racketeering
(Conspiracy to Murder).

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

THE SYNDICATO DE NUEVO MEXICO GANG

- 1) At various times relevant to this Indictment, the defendants, **ANTHONY RAY BACA, a.k.a. "Pup," CHRISTOPHER GARCIA, MANUEL JACOB ARMIJO, a.k.a. "Big Jake," FREDERICO MUNOZ, a.k.a. "Playboy," SERGIO LOYA RODRIGUEZ, a.k.a. "Churro," MANUEL BENITO, a.k.a. "Panther," VINCENT GARDUÑO, a.k.a. "Fatal," MANDEL LON PARKER, a.k.a. "Chuco," DANIEL ARCHULETA, a.k.a. "Smurf,"**

DANIEL SANCHEZ, a.k.a. “Dan Dan,” ANTHONY CORDOVA, a.k.a. “Antone,” RICHARD GALLEGOS a.k.a. “Dopey,” and others were members/prospects/associates of the Sindicato De Nuevo Mexico Gang (SNM), a criminal organization whose members/prospects/associates engaged in acts of violence and other criminal activities, including, murder, kidnapping, attempted murder, conspiracy to manufacture/distribute narcotics, and firearms trafficking. At all relevant times, SNM operated in the District of New Mexico and elsewhere.

2) SNM, including its leadership, membership, prospects, and associates, constituted an enterprise as defined in Title 18, United States Code, Sections 1959(b)(2) and 1961(4), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members/prospects/associates functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

GENERAL BACKGROUND

3) The Sindicato de Nuevo Mexico (“SNM”), Spanish for Syndicate of New Mexico, is a powerful and violent prison gang which controls drug distribution and other illegal activities within the New Mexico penal system, and is also involved in street level narcotics trafficking. It was formed in the early 1980s at the Penitentiary of New Mexico after a prison riot at the penitentiary in February, 1980. During the prison riot, twelve correctional officers were taken hostage and several of them were seriously assaulted and raped by inmates. Thirty-three inmates were killed during the riot, and more than two hundred were injured.

4) Following the prison riot, the SNM Gang expanded throughout the New Mexico penal system and has bolstered as many as 500 members since the early 1980s. The SNM Gang is

comprised of approximately 250 members, who are known as “hermanos,” “brothers,” “carnales,” “dons,” “jefes,” “big hommies,” or “Zia manos” and who control the gang. The SNM operate under a “panel” or “mesa” (Spanish for table) of leaders who issue orders to subordinate gang members.

5) Despite being imprisoned and being closely scrutinized by prison officials, SNM Gang leaders still manage to convey orders to SNM Gang members and associates throughout the prison system and outside the prison system through a variety of means, including secret notes, called “kites,” or “welas,” coded letters, and messages conveyed by complicit visitors. When SNM Gang members or associates complete their sentences and rejoin their communities, they are expected to remain loyal to the SNM Gang and work to further the goals of the SNM Gang outside the prison environment. Members who fail to show continued loyalty to the gang are disciplined in various ways, to include murder and assaults. One of the significant goals of the SNM Gang is to control and profit from narcotics trafficking.

6) In addition to exerting its control in the New Mexico penal system, the SNM Gang also operates on the streets of New Mexico by intimidating and influencing smaller New Mexico Hispanic gangs for the purpose of establishing a larger network for the SNM’s illegal activities. If a gang does not accede to the SNM Gang’s demands, the SNM Gang assaults or kills the gang’s members who are not in custody as well as those members who are incarcerated within the New Mexico penal system. In addition to intimidation through direct assaults, the SNM Gang is also able to assert control and influence over gang members outside the penal system because gangs do not want their members outside the penal system to be assaulted or killed, and because the gang members know that, if they are incarcerated, they will need the protection of the SNM Gang while they serve their sentences.

7) The SNM Gang has been and continues to be engaged in a fierce and violent war with rival gangs, to include the Barrio Azteca, Los Carnales, Sureños, and Burqueños gangs. Within the prison system, this rivalry manifests itself in beatings and stabbings, which often result in death. Outside the prison system, the SNM Gang fights for control of territory in which to conduct narcotics trafficking and other crimes, as well as to recruit and influence non-gang members. In addition to fighting for control over numerous illegal activities and using violence and terror for the purpose of enriching themselves, the SNM Gang also engages in violence simply to assert its gang identity, to claim or protect its territory, to challenge or respond to challenges, to retaliate against a rival gang or member, to gain notoriety and show its superiority over others, and to send a message to others that it is strong, powerful and not to be provoked.

8) The SNM Gang seeks to maintain its reputation for being strong and powerful and maintains its membership to continue functioning as an organization in prison and on the streets. If the SNM Gang is perceived as being weak, then rival gangs challenge and assault its members and take over its territory. This could cause the gang to lose membership and eventually dissolve. The SNM Gang maintains a large membership and a reputation for being strong, powerful and dominant so that, rival gangs will think twice before they challenge it and victims/witnesses will think twice about assisting authorities with any prosecution attempt against it. This allows the gang to grow in strength, thrive in its criminal activity, and dominate its territory. A member of the SNM Gang is expected to seek out and beat, stab, or shoot rival gang members. Similarly, a member of the SNM Gang is expected to confront and attack any suspected law enforcement informants, cooperating witness, homosexuals, or sex offenders.

9) SNM Gang members identify themselves with the Zia symbol and the letters "SNM" or "S," which represent the "Syndicato de Nuevo Mexico" or "Syndicato" which is Spanish for

Syndicate. The SNM Gang members also utilize the number “19” which represents the 19th letter of the alphabet, “S,” and “505,” which corresponds with the area code for the greater Albuquerque area. The SNM Gang claims the entire state of New Mexico as its territory, which is broken into four geographical regions: North, South, East, and West. As with the numbers “19,” and “505,” the letters “S” or “SNM,” the Zia symbol, and the Spanish word “Syndicato” are commonly, but not exclusively, displayed by SNM Gang members in tattoos, graffiti, drawings, and on clothing, as a way of displaying affiliation, loyalty, and commitment to the gang.

ROLES OF THE DEFENDANTS

10) The defendants participated in the operation and management of the enterprise.

Defendants **ANTHONY RAY BACA, a.k.a. “Pup,” CHRISTOPHER GARCIA, MANUEL JACOB ARMIJO, a.k.a. “Big Jake,”** and **DANIEL SANCHEZ, a.k.a. “Dan Dan”** were the leaders of the enterprise who directed or delegated the power to direct other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise’s affairs.

11) Under the direction and leadership of the enterprise, defendants **FREDERICO MUNOZ, a.k.a. “Playboy,” SERGIO LOYA RODRIGUEZ, a.k.a. “Churro,” MANUEL BENITO, a.k.a. “Panther,” VINCENT GARDUÑO, a.k.a. “Fatal,” MANDEL LON PARKER, a.k.a. “Chuco,”** and **DANIEL ARCHULETA, a.k.a. “Smurf,”** were members who participated in unlawful and other activities in furtherance of the conduct of the enterprise’s affairs.

PURPOSES OF THE SYNDICATO DE NUEVO MEXICO GANG

12) The purposes of the SNM Gang enterprise include the following:

- a. Preserving and protecting the power, territory, reputation, and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults, and murder;
- b. Promoting and enhancing the enterprise and the activities of its members and associates through criminal acts, including, but not limited to, murder, attempted murder, narcotics trafficking, theft of vehicles, robberies and other criminal activities;
- c. Keeping victims, potential victims, witnesses, and community members in fear of the enterprise and its members and associates through violence and threats of violence;
- d. Protecting the enterprise's members and associates who commit crimes by hindering, obstructing, and preventing law enforcement officers from identifying the offenders, apprehending the offenders and successfully prosecuting and punishing the offenders;
- e. Providing information to members and associates of the enterprise, including those who are incarcerated, for the purpose of committing acts of violence, robbery, distribution of controlled substances, and other offenses; and
- f. Providing financial support and information to SNM Gang members and associates, including those members and associates who are incarcerated.

MEANS AND METHODS OF THE ENTERPRISE

- 13) Among the means and methods by which the defendants and their associates conduct and participate in the conduct of the affairs of the SNM Gang are the following:
- a. Members and associates of the enterprise commit, conspire, attempt, and threaten to commit acts of violence, including murders and assaults to protect and expand the enterprise's criminal operations.
 - b. To generate income, members and associates of the enterprise traffic in controlled substances and extort narcotics traffickers.

- c. To perpetuate the enterprise, members and associates of the enterprise discuss the membership, rules, and enforcement of the rules of the SNM Gang; the status of SNM Gang members and associates who are arrested or incarcerated; the discipline of SNM Gang members; SNM Gang members' encounters with law enforcement; the identities of individuals suspected of cooperating with law enforcement and the proposed actions to be taken against them; and plans and agreements regarding the commission of future crimes, including murder, drug distribution, possession of firearms, and assault, as well as ways to conceal these crimes.
 - d. It is further part of the means and methods of the enterprise that members and associates of the enterprise conceal from law enforcement the way in which the enterprise conducts its affairs; the locations where enterprise members discuss and conduct the affairs of the enterprise; the locations where enterprise members store and possess weapons and narcotics; and the locations where enterprise members maintain the proceeds from narcotics trafficking.
 - e. Members of the SNM Gang also use violence to impose discipline within the SNM Gang. It is further part of the means and methods of the conspiracy that the defendants and other members and associates of the SNM Gang agreed to distribute narcotics and commit other crimes, and to conceal their criminal activities by obstructing justice, threatening and intimidating witnesses, and other means.
- 14) The SNM gang enterprise, through its members and associates, engaged in racketeering activity as defined in 18 U.S.C. §§ 1959(b)(1) and 1961(1), that is, acts and threats involving murder in violation of New Mexico law, acts indictable under 18 U.S.C.

§§ 1503, 1512 and 1513 involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, and offenses involving trafficking in narcotics in violation of 21 U.S.C. §§ 841 and 846.

Count 1

THE RACKETEERING CONSPIRACY

Paragraphs one through fourteen of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

Beginning on or about 1980 and continuing through the present, in the District of New Mexico and elsewhere, the defendants, **ANTHONY RAY BACA, a.k.a. "Pup," CHRISTOPHER GARCIA, MANUEL JACOB ARMIJO, a.k.a. "Big Jake," FREDERICO MUNOZ, a.k.a. "Playboy," SERGIO LOYA RODRIGUEZ, a.k.a. "Churro," MANUEL BENITO, a.k.a. "Panther," VINCENT GARDUÑO, a.k.a. "Fatal," MANDEL LON PARKER, a.k.a. "Chuco," DANIEL ARCHULETA, a.k.a. "Smurf," and DANIEL SANCHEZ, a.k.a. "Dan Dan,"** together with others known and unknown, each being a person employed by and associated with the SNM Gang, an enterprise engaged in, and the activities of which affect, interstate and foreign commerce, unlawfully, knowingly, and intentionally did conspire to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the SNM Gang enterprise through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and (5), which pattern of racketeering activity consisted of:

1) multiple acts and threats involving:

- a) murder in violation of NMSA 1978, Sections 30-2-1, 30-1-13, 30-28-1, 30-28-2 and 30-28-3;

- b) robbery, in violation of NMSA 1978, Sections 30-16-2, 30-1-13, 30-28-1, 30-28-2 and 30-28-3;
- 2) multiple acts involving trafficking in controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846; and
- 3) multiple acts indictable under:
 - a) Title 18, United States Code, Section 1512 (relating to tampering with a witness, victim, or an informant);
 - b) Title 18, United States Code, Section 1513 (relating to retaliating against a witness, victim, or an informant); and
 - c) Title 18, United States Code, Section 1503 (relating to obstruction of justice).

It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish the object of the conspiracy, the defendants **ANTHONY RAY BACA, a.k.a. "Pup," CHRISTOPHER GARCIA, MANUEL JACOB ARMIJO, a.k.a. "Big Jake," FREDERICO MUNOZ, a.k.a. "Playboy," SERGIO LOYA RODRIGUEZ, a.k.a. "Churro," MANUEL BENITO, a.k.a. "Panther," VINCENT GARDUÑO, a.k.a. "Fatal," MANDEL LON PARKER, a.k.a. "Chuco," DANIEL ARCHULETA, a.k.a. "Smurf," DANIEL SANCHEZ, a.k.a. "Dan Dan,"** and others known and unknown to the Grand Jury, committed various overt acts, on or about the following times and dates, in the District of New Mexico, and elsewhere, including but not limited to the following:

Overt Act 1

In 1980, a group of inmates at the Penitentiary of New Mexico formed the SNM Gang.

Overt Act 2

Beginning in the 1980s, the SNM Gang designated the prison gangs Los Carnales and the Nortenos as their rivals and issued orders to all SNM Gang members to assault their rivals whenever possible.

Overt Act 3

Beginning in the 1980s and continuing up to the present time, the SNM Gang established a hierarchy within the gang, rules and procedures, and recruited street gang members and inmates from around New Mexico to commit and aid in the commission of robberies, burglaries, assaults, kidnappings, murders, drug sales, drug smuggling, drug manufacturing, and the intimidation of witnesses, informants, and rivals, to strengthen, sustain, and propagate the SNM Gang.

Overt Act 4

At a time unknown to the Grand Jury, but after February 4, 1987, defendant **ANTHONY RAY BACA** obtained a tattoo on his abdomen reading "SINDICATO NUEVO MEXICO."

Overt Act 5

In or about 1989, defendant **ANTHONY RAY BACA** joined the SNM Gang.

Overt Act 6

On or about June 22, 1989, while in the custody of the New Mexico Corrections Departments ("NMCD"), defendant **ANTHONY RAY BACA** and another SNM Gang member murdered another inmate.

Overt Act 7

At a time unknown to the Grand Jury, but after 1989, defendant **ANTHONY RAY BACA** became a leader of the SNM.

Overt Act 8

In 1993, defendant **MANUEL JACOB ARMIJO** joined the SNM Gang with the sponsorship of SNM Gang leaders A.M. (deceased) and M.B. (deceased).

Overt Act 9

On or about March 11, 1994, defendant **MANUEL JACOB ARMIJO** escaped from jail.

Overt Act 10

On or about May 24, 1994, defendant **MANUEL JACOB ARMIJO** burglarized a business and stole various items.

Overt Act 11

On or about July 7, 1994, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** incited a riot at the inmate recreation yard.

Overt Act 12

On or about November 10, 1994, while in the custody of NMCD, defendant **DANIEL SANCHEZ** assaulted inmate P.C.

Overt Act 13

On or about December 9, 1994, while in the custody of NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer.

Overt Act 14

On or about February 9, 1995, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** and other SNM Gang member assaulted correctional officers.

Overt Act 15

On or about April 6, 1995, while in the custody of NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer.

Overt Act 16

On or about May 4, 1995, defendant **CHRISTOPHER GARCIA** possessed cocaine for sale.

Overt Act 17

On or about August 12, 1995, while in the custody of NMCD, defendant **DANIEL SANCHEZ** threatened a correctional officer.

Overt Act 18

On or about August 31, 1995, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** and two other SNM Gang members threatened a correctional officer and prevented the officer from entering the defendant's prison cell to conduct an inspection.

Overt Act 19

On or about March 3, 1996, defendant **MANUEL BENITO** possessed a firearm and robbed a victim, who was a Pizza Hut employee.

Overt Act 20

On or about June 10, 1996, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted inmate B.D.

Overt Act 21

On or about September 24, 1996, while in the custody of NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer.

Overt Act 22

At a time unknown to the Grand Jury, but prior to 1997, defendant **MANUEL BENITO** joined the SNM Gang.

Overt Act 23

In or about 1997, defendant **FREDERICO MUNOZ** joined the SNM Gang after being sponsored by SNM Gang leaders M.B. (deceased) and Billy Garcia.

Overt Act 24

On or about February 1, 1997, defendant **VINCENT GARDUÑO** possessed cocaine base for sale.

Overt Act 25

On or about March 3, 1997, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer and threatened inmate D.J.

Overt Act 26

On or about March 7, 1997, defendant **CHRISTOPHER GARCIA** participated in a drive-by shooting targeting a rival drug dealer. A stray bullet from the shooting struck a two year old girl in the face.

Overt Act 27

On or about April 25, 1997, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** threatened a correctional officer.

Overt Act 28

On or about June 2, 1997, while in the custody of the NMCD, defendant **MANUEL BENITO** possessed substances used to make an intoxicant (homemade alcohol) which was to be shared among SNM Gang members and sold to other inmates.

Overt Act 29

On or about July 1, 1997, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** threatened inmate J.H.

Overt Act 30

On or about July 19, 1997, while in the custody of the NMCD, defendant **MANUEL BENITO** possessed a homemade weapon and attempted to hide the weapon.

Overt Act 31

On or about September 12, 1997, defendant **CHRISTOPHER GARCIA** assaulted a police officer.

Overt Act 32

In or about 1998, defendant **DANIEL ARCHULETA** was made a member of the SNM Gang.

Overt Act 33

In or about 1998, while in the custody of the Bernalillo County Detention Center, defendant **FREDERICO MUNOZ** received a directive from SNM Gang leader A.M. to murder SNM Gang member F.M. because F.M. had been a member of the of the Nuestra Familia Gang who was then trying to join SNM.

Overt Act 34

In or about 1998, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** ordered three SNM Gang members, to include Benjamin Clark, a.k.a. "Cyclone," to murder SNM Gang member L.T. for causing dissention within the SNM Gang. L.T. had lobbied other SNM Gang members to join him in starting a new faction of SNM, called the "All Stars," whose motto was "out with the old (SNM), in with the new."

Overt Act 35

In or about 1998, while in the custody of the Bernalillo County Detention Center, defendant **FREDERICO MUNOZ** met with other SNM Gang members and developed a plan to murder F.M.

Overt Act 36

On or about February 2, 1998, defendant **FREDERICO MUNOZ** possessed a firearm and committed an armed robbery.

Overt Act 37

On or about February 17, 1998, defendant **VINCENT GARDUÑO** received or transferred stolen property, burglarized a residence and tampered with evidence.

Overt Act 38

On or about March 4, 1998, defendant **MANUEL JACOB ARMIJO** possessed methamphetamine and drug paraphernalia.

Overt Act 39

In June 1998, while incarcerated at the Bernalillo County Detention Center, defendant **FREDERICO MUNOZ** met with other SNM Gang members and formulated a plan to murder SNM Gang member F.M. because he was believed to be an informant.

Overt Act 40

On or about July 5, 1998, while incarcerated at the Bernalillo County Detention Center, defendants **FREDERICO MUNOZ**, **MANUEL BENITO** and Leonard Lujan killed F.M.

Overt Act 41

On or about November 14, 1998, while in the custody of NMCD, defendant **DANIEL SANCHEZ** possessed and attempted to conceal the drug paraphernalia.

Overt Act 42

In or about 1999, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** met with defendant **VINCENT GARDUÑO** and discussed killing inmate M.M., a.k.a. "Chaparro" for disrupting SNM Gang drug activities on the street. Defendant **FREDERICO MUNOZ** directed defendant **VINCENT GARDUÑO** to kill M.M., and defendant **VINCENT GARDUÑO** agreed.

Overt Act 43

In or about 1999, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** requested inmate M.M. represent him during an administrative disciplinary hearing so that defendant **VINCENT GARDUÑO** could get M.M. alone to stab him.

Overt Act 44

In or about 1999, while in the custody of the Bernalillo County Detention Center, defendant **FREDERICO MUNOZ** met with defendant **VINCENT GARDUÑO** and directed defendant **VINCENT GARDUÑO** to assault inmate A.G., a.k.a. "Listo," because he had joined the SNM All Stars. Defendant **VINCENT GARDUÑO** accepted the job.

Overt Act 45

In or about 1999, while in the custody of the NMCD, defendant **CHRISTOPHER GARCIA** joined the SNM Gang after being sponsored by SNM Gang members A.A., a.k.a. "Popeye," (deceased) and D.T., a.k.a. "Oso."

Overt Act 46

On or about February 19, 1999, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** threatened a correctional officer.

Overt Act 47

On or before February 19, 1999, defendant **MANUEL BENITO**, while in the custody of the NMCD, threatened, harassed, and intimidated other inmates, was found to be a danger, and was placed in administrative segregation.

Overt Act 48

On or about March 13, 1999, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** attempted to flood his cell and incite a disturbance among the other inmates.

Overt Act 49

On or about April 26, 1999, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer.

Overt Act 50

On or about May 25, 1999, while in the custody of NMCD, defendant **DANIEL SANCHEZ** threatened a correctional officer.

Overt Act 51

On or about May 26, 1999, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted inmate M.M. with a metal shank (homemade knife) resulting in great bodily harm to the victim.

Overt Act 52

On or about June 10, 1999, while in the custody of the NMCD, defendant **MANUEL BENITO** warned other SNM Gang members when a correctional officer entered the SNM housing unit.

Overt Act 53

On or about November 21, 1999, while in the custody of the NMCD, defendant **MANUEL BENITO** possessed marijuana.

Overt Act 54

On or about May 9, 2000, while in the custody of the NMCD, defendant **MANUEL BENITO** threatened to assault another inmate.

Overt Act 55

In or before 2001, defendant **MANDEL LON PARKER** joined the SNM Gang and obtained a tattoo on his abdomen with the letters "SNM."

Overt Act 56

In 2001, while in the custody of the NMCD, defendant **MANDEL LON PARKER** conspired with other members of the SNM Gang to smuggle heroin into the prison.

Overt Act 57

In 2001, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** attended a meeting with SNM Gang leaders, in which "hits" were placed on SNM Gang members R.G., a.k.a. "Looney," and F.C., a.k.a. "Pancho."

Overt Act 58

In 2001, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** ordered and participated in the assaults of inmates A.B., A.M., I.D., and J.C. One of the victims stated that the SNM Gang was recruiting inmates into their organization, and persons who refused to join were assaulted.

Overt Act 59

In 2001, defendant **FREDERICO MUNOZ** possessed a firearm and committed a series of armed robberies which targeted drug dealers, convenience stores, a Sonic restaurant, a Phillips 66 gas station, and a Goodwill thrift store.

Overt Act 60

In or about 2001, defendant **DANIEL ARCHULETA** escaped from the Cibola County Detention Center.

Overt Act 61

On or about June 15, 2001, defendant **MANUEL JACOB ARMIJO** possessed methamphetamine for sale.

Overt Act 62

On or before September 17, 2001, defendant **MANUEL BENITO**, while in the custody of the NMCD, threatened, harassed, and intimidated other inmates, was found to be a danger, and was placed in administrative segregation.

Overt Act 63

On or about December 30, 2001, while in the custody of the NMCD, defendant **MANDEL LON PARKER** and other members of the SNM Gang refused orders of correctional officers and created a disturbance. Defendant **MANDEL LON PARKER** appointed SNM Gang member T.C. to represent him during a subsequent administrative hearing.

Overt Act 64

On or about March 29, 2002, while in the custody of the NMCD, defendant **MANUEL BENITO** admitted to being a member of the SNM Gang and was observed by correctional officers to have SNM Gang tattoos.

Overt Act 65

On or about April 16, 2002, while in the custody of the NMCD, defendant **DANIEL ARCHULETA** assaulted inmate M.G.

Overt Act 66

On or about February 20, 2003, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** was in charge of all SNM Gang activity at the Southern New Mexico Correctional Facility.

Overt Act 67

In March 2003, defendant **FREDERICO MUNOZ** and another SNM Gang member possessed firearms and attempted to kill SNM Gang leader J.R. on orders from Gerald Archuleta. J.R. was shot in the leg during the attempt on his life.

Overt Act 68

On or about March 15, 2003, while in the custody of the NMCD, defendant **DANIEL ARCHULETA** assaulted inmate C.R.

Overt Act 69

On or about April 26, 2003, defendant **FREDERICO MUNOZ** possessed a firearm, which he used to shoot and kill, rival prison gang member, R.C., a.k.a. "Casanova."

Overt Act 70

In or about June, 2003, while in the custody of the NMCD, defendant **MANDEL LON PARKER** conspired with other members of the SNM Gang to assault rival gang member R.L.

Overt Act 71

On or about June 1, 2003, while in the custody of the NMCD, defendant **MANDEL LON PARKER** and other members of the SNM Gang stabbed rival gang member R.L.

Overt Act 72

On or about July 1, 2003, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** possessed a homemade weapon and attempted to conceal the weapon.

Overt Act 73

On or about September 9, 2003, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted rival prison gang member D.T.

Overt Act 74

On or about September 21, 2003, defendant **MANUEL BENITO** assaulted a victim and fled from police officers.

Overt Act 75

On or about November 13, 2003, while in the custody of the NMCD, defendant **MANDEL LON PARKER** possessed a homemade weapon.

Overt Act 76

On or about November 13, 2003, while in the custody of the NMCD, defendant **MANDEL LON PARKER** possessed materials used for passing covert messages to other SNM Gang members.

Overt Act 77

In or about 2003 to 2004, while incarcerated at the Bernalillo County Detention Center, defendant **FREDERICO MUNOZ** ordered SNM Gang members B.B., a.k.a. "Duke," and J.M. to kill J.G., a.k.a. "Lobo."

Overt Act 78

On or about February 19, 2004, defendant **CHRISTOPHER GARCIA** was shot by rival gang member S.D. at the defendant's residence.

Overt Act 79

On or about March 16, 2004, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** displayed SNM Gang tattoos on his body.

Overt Act 80

On or about July 14, 2004, while in the custody of the NMCD, defendant **MANDEL LON PARKER** possessed a razor blade, concealed within a book.

Overt Act 81

On or about October 12, 2004, while in the custody of the NMCD, defendant **MANDEL LON PARKER** assaulted SNM member M.M.

Overt Act 82

On or about December 17, 2004, defendant **MANUEL JACOB ARMIJO** threatened to assault inmate V.R. On or about December 24, 2004, an SNM Gang member assaulted V.R.

Overt Act 83

Between 2004 and 2015, defendant **CHRISTOPHER GARCIA** sold cocaine base and heroin several hundred times to another person.

Overt Act 84

In 2005, defendant **CHRISTOPHER GARCIA** offered to pay another person to kill rival gang member S.D., who had previously shot defendant **CHRISTOPHER GARCIA**.

Overt Act 85

In or about February 2005, defendant **CHRISTOPHER GARCIA** requested another person and defendant **ANTHONY CORDOVA**, a.k.a. "Antone," to kill rival gang member S.D.

Overt Act 86

In February, 2005, defendant **CHRISTOPHER GARCIA** paid another person and defendant **ANTHONY CORDOVA** heroin and cash for killing S.D.

Overt Act 87

In February, 2005, defendant **CHRISTOPHER GARCIA** traveled outside the District of New Mexico in order to create an alibi for himself during the time S.D. was murdered.

Overt Act 88

On or about February 4, 2005, victim S.D. was shot and killed by another person and defendant **ANTHONY CORDOVA** on orders from defendant **CHRISTOPHER GARCIA**.

Overt Act 89

In 2005, defendant **CHRISTOPHER GARCIA** bragged to an SNM Gang leader that he had traveled to Las Vegas, Nevada, at the time of S.D.'s murder to create an alibi. Defendant **CHRISTOPHER GARCIA** showed the SNM Gang leader photographs of himself in Las Vegas.

Overt Act 90

In 2005, on multiple occasions, defendant **CHRISTOPHER GARCIA** spoke with another person and discussed smuggling crack cocaine into the prisons with the assistance of a correctional officer, who was an associate of the SNM Gang.

Overt Act 91

In 2005, on multiple occasions, defendant **CHRISTOPHER GARCIA** provided crack cocaine to another person, who in-turn gave the drugs to a correctional officer to smuggle in to the prison. The crack cocaine was provided to SNM Gang members, to include Benjamin Clark, a.k.a. "Cyclone," and defendant **DANIEL SANCHEZ**.

Overt Act 92

On or about March 1, 2005, while incarcerated at the NMCD, defendant **DANIEL ARCHULETA** and SNM Gang members V.C., L.V., M.J., H.H., and D.A. assaulted SNM Gang Member F.T. because F.T. wanted out of the gang.

Overt Act 93

On or about April 2, 2005, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted inmate M.G.

Overt Act 94

On or about July 27, 2005, defendant **CHRISTOPHER GARCIA** threatened to assault R.C.

Overt Act 95

On or about September 14, 2005, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** claimed to have been affiliated with the SNM Gang since 1994 and admitted that the SNM Gang distributed drugs.

Overt Act 96

On or about September 16, 2005, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** threatened to assault a correctional officer.

Overt Act 97

On or about October 21, 2005, defendant **MANUEL JACOB ARMIJO** received or transferred a stolen vehicle.

Overt Act 98

On or about October 25, 2005, while in the custody of the NMCD, defendant **MANUEL BENITO** and another SNM Gang member assaulted inmate R.C.

Overt Act 99

On or about November 14, 2005, while in the custody of NMCD, defendant **DANIEL SANCHEZ** attempted to murder rival gang member D.M. and stabbed him several times with a shank. Defendant **DANIEL SANCHEZ** then assaulted a correctional officer with the weapon when the correctional officer attempted to intervene.

Overt Act 100

On or about May 10, 2006, defendant **CHRISTOPHER GARCIA** possessed a firearm.

Overt Act 101

On or about June 14, 2006, defendant **CHRISTOPHER GARCIA** possessed cocaine and attempted to destroy evidence.

Overt Act 102

On or about July 29, 2006, defendant **MANUEL JACOB ARMIJO** possessed heroin and crack cocaine for sale.

Overt Act 103

On or about July 31, 2006, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted inmate M.M.

Overt Act 104

On or about November 12, 2006, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted SNM Gang member T.S. with a deadly weapon.

Overt Act 105

In 2007, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** participated in a conversation with SNM Gang member Edward Troup, during which Edward Troup admitted that he and SNM Gang member Javier Alonso murdered SNM Gang member F.S., a.k.a. "Fred Dog."

Overt Act 106

In 2007, defendant **SERGIO LOYA RODRIGUEZ** was brought into the SNM Gang by SNM Gang leader Arturo Garcia.

Overt Act 107

On or about March 13, 2007, defendant **MANUEL JACOB ARMIJO** received or transferred a stolen vehicle and possessed methamphetamine and burglary tools.

Overt Act 108

On or about March 29, 2007, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** possessed a razorblade weapon.

Overt Act 109

On or about April, 2007, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** possessed nine containers of juice used to make homemade alcohol.

Overt Act 110

On or about April 13, 2007, while in the custody of the NMCD, defendant **FREDERICO MUNOZ** threatened to assault a correctional officer.

Overt Act 111

On or about September 9, 2007, defendant **MANUEL JACOB ARMIJO** assaulted a police officer.

Overt Act 112

On or before November 18, 2007, defendant **MANUEL BENITO**, while in the custody of the NMCD, threatened, harassed, and intimidated other inmates, was found to be a danger, and was placed in administrative segregation.

Overt Act 113

On or about December 27, 2007, while in the custody of the NMCD, defendant **MANDEL LON PARKER** and other SNM Gang members assaulted inmate F.G.

Overt Act 114

On or about February 8, 2008, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** possessed a hypodermic needle and appointed SNM Gang member Benjamin Clark, a.k.a. "Cyclone" to be his legal representative.

Overt Act 115

On or about February 20, 2008, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** assaulted a correctional officer resulting in injury to the officer and appointed SNM Gang member Benjamin Clark, a.k.a. "Cyclone" to be his legal representative.

Overt Act 116

On or about February 21, 2008, while in the custody of the NMCD, defendant **MANUEL BENITO** passed messages to other SNM Gang members.

Overt Act 117

In or about April 2008, while in the custody of the Santa Fe County Detention Center, defendant **DANIEL ARCHULETA** conspired with SNM Gang members L.R. and I.A. to introduce heroin into the detention center.

Overt Act 118

On or about April 2, 2008, while in the custody of the Santa Fe County Detention Center, defendant **DANIEL ARCHULETA**'s wife attempted to smuggle defendant **DANIEL ARCHULETA** heroin concealed in clothing.

Overt Act 119

On or about April 4, 2008, while in the custody of NMCD, defendant **DANIEL SANCHEZ** threatened a correctional officer.

Overt Act 120

On or before April 18, 2008, defendant **MANUEL BENITO**, while in the custody of the NMCD, threatened, harassed, and intimidated other inmates on behalf of the SNM Gang, was found to be a danger, and was placed in administrative segregation.

Overt Act 121

On or about June 12, 2008, while in the custody of the NMCD, defendant **MANUEL BENITO** possessed alcohol and materials to make alcohol. Defendant **MANUEL BENITO** also attempted to assault a correctional officer while being escorted out of his cell.

Overt Act 122

On or about July 31, 2008, while in the custody of NMCD, defendant **DANIEL SANCHEZ** received a letter from another SNM Gang member that discussed SNM Gang business.

Overt Act 123

On or about September 17, 2008, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** advised NMCD officials that all “green lights” were on hold except against child molesters and rapists.

Overt Act 124

On or about September 23, 2008, while in the custody of NMCD, defendant **DANIEL SANCHEZ** possessed a hypodermic needle.

Overt Act 125

On or about December 11, 2008, while in the custody of the NMCD, several SNM Gang members, to include defendants **CHRISTOPHER GARCIA** and **MANUEL BENITO**, signed an SNM Gang "Petition for Roll Call," written by SNM Gang member G.C.

Overt Act 126

On or about December 23, 2008, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** possessed in his prison cell a proposed SNM Gang structure diagram.

Overt Act 127

On or about April 14, 2009, while in the custody of the NMCD, SNM Gang leader Gerald Archuleta sent defendant **MANUEL JACOB ARMIJO** a coded letter, via inter-prison mail, pertaining to SNM Gang activities within the prison system and an associate, known to both defendants, who had been charged with murder and assaulting a correctional officer.

Overt Act 128

On or about June 13, 2009, while in the custody of the NMCD, SNM Gang leader Gerald Archuleta sent defendant **MANUEL JACOB ARMIJO** a coded letter, via inter-prison mail, discussing the location and activities of other SNM Gang members, the fact that "Joker" had been made a "carnal," and inquiring about suspected narcotics referred to as "blondie."

Overt Act 129

On or about June 29, 2009, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** possessed a document dividing the State of New Mexico into "rayos," or regions amongst SNM Gang leadership; the document also contained instructions for SNM Gang leaders to familiarize themselves with and run their respective "rayos."

Overt Act 130

On or about July 10, 2009, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** sent a letter to another SNM Gang member discussing the transfer of drug proceeds.

Overt Act 131

On or about July 11, 2009, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** sent a letter to SNM Gang leader Arturo Garcia and informed him that he would have his wife transfer money to SNM Gang leader Arturo Garcia. Defendant **SERGIO LOYA RODRIGUEZ** told SNM Gang leader Arturo Garcia that they should only trust their “carnals” (other SNM Gang members).

Overt Act 132

On or about September 28, 2009, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** threatened a female correctional officer and told her that she should recognize the defendant’s leadership status within the housing unit.

Overt Act 133

On or about February 28, 2009, while incarcerated at the Bernalillo County Detention Center, defendant **SERGIO LOYA RODRIGUEZ** assaulted inmate A.S.

Overt Act 134

In or about December 2009, defendant **ANTHONY RAY BACA** sent a covert message to SNM member J.G., a.k.a. “Baby G” instructing him to assault another inmate.

Overt Act 135

On or about December 15, 2009, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** possessed heroin concealed in an address book.

Overt Act 136

On or about December 28, 2009, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** possessed heroin and attempted to destroy it when discovered by a correctional officer; other SNM Gang members obstructed the correctional officer.

Overt Act 137

In or about 2010, while in the custody of NMCD, defendant **DANIEL SANCHEZ** was appointed to the SNM "Tabla," or leadership organization within the SNM.

Overt Act 138

On or about March 10, 2010, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** received a coded letter from SNM Gang leader Arturo Garcia that discussed gang business.

Overt Act 139

On or about July 24, 2010, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** participated in a recorded telephone call with SNM Gang leader Arturo Garcia discussing SNM Gang business and the fact that SNM Gang leader Arturo Garcia would make defendant **SERGIO LOYA RODRIGUEZ** a leader on the streets when he was released from prison.

Overt Act 140

In July, 2010, while in the custody of the NMCD, defendant **SERGIO LOYA RODRIGUEZ** received and transferred coded letters between SNM Gang leaders J.M., a.k.a. "Juanito," and R.C., a.k.a. "Razor."

Overt Act 141

On or about October 13, 2010, defendant **DANIEL ARCHULETA** spoke with SNM Gang member K.U., a.k.a. “Cuss,” and discussed that SNM Gang member M.M., a.k.a.: “Wicked,” was an informant in a murder case. Defendant **DANIEL ARCHULETA** told K.U. to do some research and acquire court documents on M.M. K.U. said that he would send defendant **DANIEL ARCHULETA** some “feria” (money or drugs).

Overt Act 142

On or about November 9, 2010, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** assaulted a correctional officer.

Overt Act 143

On or about December 9, 2010, while in the custody of the NMCD, defendant **VINCENT GARDUÑO** assaulted inmate H.D.

Overt Act 144

On or about December 30, 2010, defendant **MANDEL LON PARKER**, while on parole, met with another member of the SNM Gang at the defendant’s residence, in violation of his parole.

Overt Act 145

In 2011, while in the custody of the NMCD, SNM Gang leader Arturo Garcia instructed another person to meet with SNM Gang members W.R., a.k.a. “Demon,” and defendant **SERGIO LOYA RODRIGUEZ** regarding the transportation of cocaine shipments to buyers on the east coast.

Overt Act 146

In or about 2011, while in the custody of NMCD, defendant **DANIEL SANCHEZ** was given the “keys” to run the SNM Gang at the Penitentiary of New Mexico by SNM Gang leader Gerald Archuleta.

Overt Act 147

On or about January 10, 2011, while in the custody of the NMCD, defendant **MANDEL LON PARKER** claimed to be a member of the SNM Gang.

Overt Act 148

On or about February 1, 2011, defendant **DANIEL ARCHULETA** spoke with SNM Gang member K.U., a.k.a. “Cuss,” and discussed the fact that K.U. had not sent defendant **DANIEL ARCHULETA** any money. K.U. said that he would send him \$50.

Overt Act 149

In or about August, 2011, SNM Gang member J.G., a.k.a. “Daffy,” said that he was working with defendant **SERGIO LOYA RODRIGUEZ** and that they could supply another person with large quantities of illegal narcotics and firearms.

Overt Act 150

In or about August, 2011, SNM Gang member J.G. said that he and defendant **SERGIO LOYA RODRIGUEZ** had been involved in the murder of SNM Gang member S.C. over three ounces of drugs and politics within the SNM Gang.

Overt Act 151

On or about August 3, 2011, defendant **ANTHONY RAY BACA** sent a letter to SNM Gang member H.D. inquiring about the arrest of another SNM member and requested that H.D. link up with a drug source of supply.

Overt Act 152

On or about August 20, 2011, in a letter between SNM Gang members J.E., a.k.a. "Worm," and R.M., a.k.a. "Mumbles," defendant **DANIEL ARCHULETA** was identified as the "Llavero" (key holder) for SNM Gang members in northern New Mexico.

Overt Act 153

In November, 2011, defendant **SERGIO LOYA RODRIGUEZ** met with an undercover FBI agent and offered to sell the undercover agent a kilogram of cocaine for \$30,000. Defendant **SERGIO LOYA RODRIGUEZ** later called the undercover FBI agent and offered to lower the price of the cocaine to \$25,000-\$26,000 per kilogram.

Overt Act 154

On or about November 15, 2011, defendant **MANDEL LON PARKER** posted a photograph of himself and another SNM Gang member on Facebook with an "SNM" comment/signature.

Overt Act 155

On or about December 3, 2011, defendant **MANDEL LON PARKER** posted a photograph on his Facebook page with the description "CHUCO BEBE SNM."

Overt Act 156

On or about December 9, 2011, while in the custody of the NMCD, SNM Gang leader Arturo Garcia asked defendant **SERGIO LOYA RODRIGUEZ** to call "Carmen" and provide her with narcotics to smuggle into the prison. One of the telephone numbers provided returned to defendant **SERGIO LOYA RODRIGUEZ**'s wife, who is a former employee of the NMCD.

Overt Act 157

Between December, 2011 and January 24, 2012, defendant **SERGIO LOYA RODRIGUEZ** exchanged 203 telephone calls with SNM Gang member J.G., with whom defendant **SERGIO LOYA RODRIGUEZ** was believed to be in a drug business.

Overt Act 158

In or about 2012, defendant **CHRISTOPHER GARCIA** paid another person \$50 to use another person's residence to cut and package drugs.

Overt Act 159

In or about 2012, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** held a meeting with other SNM Gang members and discussed the SNM Gang's structure and rules.

Overt Act 160

On or about January 4, 2012, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** threatened to assault a correctional officer.

Overt Act 161

On or about February 24, 2015, while in the custody of the NMCD, defendant **DANIEL SANCHEZ** provided a "clavo" (a container of drugs) to another inmate.

Overt Act 162

In 2013, defendant **VINCENT GARDUÑO** mailed several Suboxone strips to SNM Gang leader Gerald Archuleta.

Overt Act 163

In or about 2013, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** met with another SNM Gang leader and discussed a plan to murder an NMCD Security Threat

Intelligence Unit official in retaliation for moving defendant **ANTHONY RAY BACA** to an out-of-state prison facility.

Overt Act 164

On or about January 19, 2013, while in the custody of the Bernalillo County Detention Center, defendant **SERGIO LOYA RODRIGUEZ** possessed marijuana and Suboxone for sale.

Overt Act 165

On or about February 22, 2013, defendant **DANIEL ARCHULETA** told his girlfriend that SNM Gang member L.M., a.k.a. "Psycho," had been communicating with an ex-SNM Gang member. Defendant **DANIEL ARCHULETA** also said that SNM Gang member R.M., a.k.a. "Mono," was no good and had a hit on him for failing to conduct gang business on the street.

Overt Act 166

On or about February 23, 2013, while in the custody of the NMCD, defendant **DANIEL ARCHULETA**, along with two other SNM Gang members, assaulted SNM Gang member L.M.

Overt Act 167

On or about February 26, 2013, during an interview with Security Threat Intelligence Unit (STIU) officers, defendant **DANIEL ARCHULETA** stated that he was a high ranking member of the SNM Gang and was willing to participate in gang assaults to show other members of the SNM Gang that regardless of his rank, he was "down to handle business."

Overt Act 168

On or about February 27, 2013, while in the custody of the NMCD, defendant **DANIEL ARCHULETA** sent his girlfriend a letter describing his assault of L.M. and other gang business.

Overt Act 169

On or about June 27, 2013, while in the custody of NMCD, defendant **DANIEL SANCHEZ** conspired with another SNM Gang member to kill defendant **ANTHONY RAY BACA** for poor leadership decisions within the SNM Gang.

Overt Act 170

In or about August 2013, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** discussed with another SNM Gang member the benefits of murdering a high ranking NMCD official to gain national recognition and respect.

Overt Act 171

In 2014, defendant **VINCENT GARDUÑO** mailed several Suboxone strips to SNM Gang leader Gerald Archuleta.

Overt Act 172

On or about February 7, 2014, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** sent a letter to NMCD officials promising a cease-fire and a halt to SNM Gang recruitment if he were to be released from the Level VI prison facility to a lower level prison.

Overt Act 173

At a time unknown to the Grand Jury, but before March 2014, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** ordered the murder of SNM Gang member J.M. because the gang had paperwork indicating J.M. had cooperated with law enforcement.

Overt Act 174

In or about March 2014, while in the custody of NMCD, defendant **DANIEL SANCHEZ** called for the murder of SNM Gang member J.M. and ordered SNM Gang member Jerry Armenta,

a.k.a. "Creeper," to carry out the murder and threatened to have Jerry Armenta killed if he refused.

Overt Act 175

In or about March, 2014, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** possessed a phone book containing SNM Gang members' phone numbers, addresses, and NMCD numbers and photographs of defendant **ANTHONY RAY BACA** posing with other SNM Gang members.

Overt Act 176

On or about March 7, 2014, SNM Gang member J.M. was murdered by members of the SNM Gang because he was believed to have cooperated with law enforcement.

Overt Act 177

On or about April 14, 2014, defendant **SERGIO LOYA RODRIGUEZ** possessed a firearm, methamphetamine for sale, and attempted to destroy evidence.

Overt Act 178

In September, 2014, defendants **CHRISTOPHER GARCIA** and **MANUEL JACOB ARMIJO** ordered another person and defendant **RICHARD GALLEGOS** to murder SNM Gang member M.G., a.k.a. "Choo Choo."

Overt Act 179

On September 28, 2014, another person and defendant **RICHARD GALLEGOS** picked up SNM Gang member M.G. and drove in another person's vehicle to a dead-end street. Defendant **RICHARD GALLEGOS** shot and killed M.G.

Overt Act 180

On or about December 14, 2014, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** wrote a letter to his mother asking about the status and whereabouts of other SNM Gang members M.A. and B.C. and inquired as to whom B.C. was accused of murdering.

Overt Act 181

In or about 2014 or 2015, defendant **ANTHONY RAY BACA** sent a message to Burquenos Gang members J.P. and J.H. that a “cease-fire” was in effect between the SNM and Burquenos Gang.

Overt Act 182

In 2015, defendant **CHRISTOPHER GARCIA** wired \$100 to SNM Gang leader Gerald Archuleta, and defendant **CHRISTOPHER GARCIA** used his wife’s name in the wire transfer.

Overt Act 183

In 2015, defendant **VINCENT GARDUÑO** mailed several Suboxone strips to SNM Gang leader Gerald Archuleta.

Overt Act 184

On or about January 25, 2015, defendant **MANDEL LON PARKER** possessed heroin for sale, a weapon, and attempted to elude police officers.

Overt Act 185

In or about February, 2015, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** wrote a letter discussing SNM Gang business, including inquiring about the status of SNM Gang members and the transfer of money to incarcerated members.

Overt Act 186

In or about March, 2015, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** issued orders to other SNM Gang members to murder two high ranking NMCD officials.

Overt Act 187

On or about April 12, 2015, defendant **MANUEL BENITO** burglarized a residence and fled from police officers.

Overt Act 188

On or about May, 2015, defendant **CHRISTOPHER GARCIA** possessed heroin and cocaine for sale.

Overt Act 189

On or about May 6, 2015, defendant **CHRISTOPHER GARCIA** attempted to flush cocaine and heroin down a toilet while sheriff's deputies executed a search warrant at his residence.

Overt Act 190

Between May and June, 2015, defendant **CHRISTOPHER GARCIA** provided law enforcement officers with information on rival drug dealers in his area of operation.

Overt Act 191

On or about August 7, 2015, defendant **CHRISTOPHER GARCIA** sold another person heroin and crack cocaine.

Overt Act 192

On or about August 11, 2015, defendant **CHRISTOPHER GARCIA** sold another person heroin.

Overt Act 193

On or about August 11, 2015, defendant **CHRISTOPHER GARCIA** discussed the fact that rival gang member S.D. shot him and was later killed.

Overt Act 194

On or about September 4, 2015, defendant **CHRISTOPHER GARCIA** agreed to sell heroin to another person and discussed the whereabouts of various SNM Gang members, to include defendant **ANTHONY RAY BACA**, and that defendant **CHRISTOPHER GARCIA** sent Suboxone strips to “Mario” and “Boo-Boo” in prison, and agreed to sell heroin to an associate of another person so that the drugs could be smuggled into the prison.

Overt Act 195

On or about September 5, 2015, defendant **CHRISTOPHER GARCIA** agreed to sell heroin to an associate of another person.

Overt Act 196

On or about September 9, 2015, defendant **CHRISTOPHER GARCIA** discussed the sale of heroin with another person.

Overt Act 197

On or about September 10, 2015, defendant **CHRISTOPHER GARCIA** sold an FBI undercover agent heroin.

Overt Act 198

On or about September 19, 2015, defendant **CHRISTOPHER GARCIA** discussed shooting people with a cordless nail gun in lieu of a firearm in an effort to avoid being caught carrying a gun.

Overt Act 199

On or about October 22, 2015, defendant **ANTHONY RAY BACA**, while in the custody of the NMCD, discussed having a person assaulted because the person had “burned” SNM Gang member Mauricio Varela.

Overt Act 200

On or about October 22, 2015, defendant **ANTHONY RAY BACA** said that he wanted K.S., from Las Cruces, hit because he was a suspected informant and owed SNM Gang member Carlos Herrera, a.k.a. “Lazy,” \$800 for drugs.

Overt Act 201

On or about October 22, 2015, defendant **ANTHONY RAY BACA**, while in the custody of the NMCD, said T.G., a.k.a. “Whiskers,” had been assaulted by SNM Gang member L.R., a.k.a. “Swamp,” and that SNM Gang member Jerry Montoya, a.k.a. “Boxer,” had asked defendant **ANTHONY RAY BACA** for a shank to assist in the assault.

Overt Act 202

On or about October 22, 2015, defendant **ANTHONY RAY BACA**, while in the custody of the NMCD, explained that SNM members J.R., a.k.a. “BB,” and Benjamin Clark, a.k.a. “Cyclone” were upset over the fact that SNM member T.G., a.k.a. “Whiskers,” had been assaulted. Defendant **ANTHONY RAY BACA** said that he “strapped up with a magazine” and a shank and planned to hit BB, but never had the opportunity.

Overt Act 203

On or about October 22, 2015, defendant **ANTHONY RAY BACA** said that SNM member Benjamin Clark, a.k.a. “Cyclone,” had provided defendant **ANTHONY RAY BACA** with Suboxone. Defendant **ANTHONY RAY BACA** complained that the drugs provided had been

“short,” resulting in other SNM Gang members not receiving their share of the drugs. A dispute within the SNM resulted, and SNM member L.M., a.k.a. “Psycho,” was assaulted by SNM member A.E., a.k.a. “Ace.”

Overt Act 204

On or about October 22, 2015, defendant **ANTHONY RAY BACA** related that SNM Gang member **MANUEL JACOB ARMIJO** wanted to get rid of defendant **ANTHONY RAY BACA** and had been snitching on defendant **ANTHONY RAY BACA**.

Overt Act 205

On or about October 22, 2015, defendant **ANTHONY RAY BACA** proposed a twenty-year plan to unite the SNM Gang and make it stronger.

Overt Act 206

On or about October 22, 2015, defendant **ANTHONY RAY BACA** discussed the hit on J.M. and the fact that certain SNM members failed to carry it out in a timely manner.

Overt Act 207

On or about October 22, 2015, defendant **ANTHONY RAY BACA** said that SNM member Carlos Herrera and J.R., a.k.a. “BB,” had made mistakes and both members would be hit.

Overt Act 208

On or about October 22, 2015, defendant **ANTHONY RAY BACA** said that he had trained SNM Gang leader R.M., a.k.a “Baby Rob,” to be a leader within the gang.

Overt Act 209

On or about October 23, 2015, defendant **ANTHONY RAY BACA** said he and SNM Gang member R.G. killed inmate L.V. because he had been disrespectful during an argument over drugs.

Overt Act 210

On or about October 23, 2015, defendant **ANTHONY RAY BACA** said that he approved the SNM Gang hit on D.S.

Overt Act 211

On or about October 23, 2015, defendant **ANTHONY RAY BACA** explained that he wanted older SNM members to train younger members how to properly sell drugs and return the proceeds to the gang.

Overt Act 212

On or about October 23, 2015, defendant **ANTHONY RAY BACA** said that he had ordered SNM members in Las Cruces to hit rivals. SNM member J.B., a.k.a. "Greedy," assaulted a Burqueno member and asked defendant **ANTHONY RAY BACA** if he could be rewarded with a purple heart.

Overt Act 213

On or about October 23, 2015, defendant **ANTHONY RAY BACA** said that victim J.M. and SNM member Jerry Montoya were close friends. Defendant **ANTHONY RAY BACA** told Montoya that he needed to hit J.M.

Overt Act 214

On or about October 23, 2015, defendant **ANTHONY RAY BACA** discussed the Sureños Gang and their leader.

Overt Act 215

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that SNM member R.B. was an informant, and he ordered SNM members F.Q., a.k.a., "Football Fred," and Leonard Lujan to hit him.

Overt Act 216

On or about October 24, 2015, defendant **ANTHONY RAY BACA** stated that he was brought into the gang after he assaulted another inmate on orders from SNM member D.S., Sr.

Overt Act 217

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that he was brought into the SNM by F.C.

Overt Act 218

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said he would like to hit SNM “dropouts,” but said it would be too complicated to do inside the prisons. Defendant **ANTHONY RAY BACA** said they would have to hit the dropouts on the streets. Defendant **ANTHONY RAY BACA** wanted SNM member Benjamin Clark, a.k.a. “Cyclone” hit.

Overt Act 219

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that after the SNM hit the leaders of the NMCD, the gang could be split up into different prisons around the United States and communication with one another would be critical.

Overt Act 220

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that it would be best to hit NMCD officials D.S. and A.V. because they were the ones telling G.M. lies about the SNM Gang.

Overt Act 221

On or about October 24, 2015, defendant **ANTHONY RAY BACA** confirmed he wanted the NMCD officials hit and said the worst thing that could happen to the gang is that they would be sent out of state.

Overt Act 222

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that he wanted research to be done on where NMCD officials lived. Defendant **ANTHONY RAY BACA** said that it would be easier to hit the NMCD officials if they lived off the prison grounds.

Overt Act 223

On or about October 24, 2015, defendant **ANTHONY RAY BACA** said that he believed G.M. lived on the prison grounds.

Overt Act 224

In November 2015, defendant **MANDEL LON PARKER** pledged his allegiance to the SNM Gang and agreed to assist other members of the gang to locate and murder G.M.

Overt Act 225

In November 2015, defendant **MANDEL LON PARKER** met with other members of the SNM Gang and discussed the precautions that should be taken when carrying out the murder of G.M. Defendant **MANDEL LON PARKER** also discussed the status he and other members would receive if they were successful in murdering G.M.

Overt Act 226

On or about November 11, 2015, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** participated in a recorded conversation with his girlfriend, where he advised his girlfriend to pass a message to another SNM Gang member to have an inmate killed. Defendant **ANTHONY RAY BACA** also instructed his girlfriend to smuggle narcotics to him in the prison so that he could distribute them to other inmates and told his girlfriend to pass a message to another SNM Gang member about an alliance between the SNM Gang and the Sureños Gang.

Overt Act 227

On or about November 11, 2015, defendant **ANTHONY RAY BACA** requested defendant **CHRISTOPHER GARCIA** to assist the SNM Gang in a “mission.”

Overt Act 228

On or about November 15, 2015, defendants **CHRISTOPHER GARCIA** and **ANTHONY RAY BACA** used coded language to discuss the acquisition of firearms for the SNM Gang. Defendant **CHRISTOPHER GARCIA** agreed to obtain a “couple” of guns and said that he already had firearms on hand.

Overt Act 229

On or about November 18, 2015, defendant **CHRISTOPHER GARCIA** sold another person heroin.

Overt Act 230

On or about November 18, 2015, defendant **CHRISTOPHER GARCIA** used coded language to tell defendant **ANTHONY RAY BACA** that he would plant a firearm at a secret location to be retrieved by another SNM Gang member.

Overt Act 231

On or about November 19, 2015, while in the custody of the NMCD, defendant **ANTHONY RAY BACA** ordered another SNM Gang member to threaten the family of a cooperating witness in a murder investigation.

Overt Act 232

On or about November 26, 2015, defendants **CHRISTOPHER GARCIA** and **ANTHONY RAY BACA** used coded language to discuss a firearm that was to be provided to another member of the SNM Gang.

Overt Act 233

On or about November 29, 2015, defendant **CHRISTOPHER GARCIA** advised another person that he did not trust defendant **MANDEL LON PARKER** and instructed that person to give defendant **MANDEL LON PARKER** a “hotshot” (lethal dose of heroin) after that person and defendant **MANDEL LON PARKER** murdered G.M. Defendant **CHRISTOPHER GARCIA** also advised that person to leave the murder weapon with defendant **MANDEL LON PARKER**.

Overt Act 234

On or about November 29, 2015, defendant **CHRISTOPHER GARCIA** possessed a firearm.

Overt Act 235

On or about November 29, 2015, defendant **CHRISTOPHER GARCIA** supplied another person a firearm to be used in the murder of G.M., according to the instructions of defendant **ANTHONY RAY BACA**.

Overt Act 236

On or about November 30, 2015, defendant **CHRISTOPHER GARCIA** used coded language to tell defendant **ANTHONY RAY BACA** that he had provided a gun to another member of the gang to be used on the “mission” to kill G.M.

Overt Act 237

On December 2, 2015, Carlos Herrera spoke with defendant **VINCENT GARDUÑO** and instructed defendant **VINCENT GARDUÑO** to send him some “skina” (work) and “feria” (money). Carlos Herrera also told defendant **VINCENT GARDUÑO** to “go check on Pita for me.”

Overt Act 238

On or about December 3, 2015, **CHRISTOPHER GARCIA** was in possession of several ounces of heroin at a drug stash house he operated.

Overt Act 239

On or about December 3, 2015, **CHRISTOPHER GARCIA** possessed marijuana and materials consistent with distribution of marijuana.

Overt Act 240

On or about December 3, 2015, defendant **CHRISTOPHER GARCIA** possessed several SNM Gang photographs, letters, and a roster of gang members.

Overt Act 241

On or about December 3, 2015, defendant **CHRISTOPHER GARCIA** possessed a cellular telephone that contained photographs of him posing with a marijuana plant and marijuana bags packaged for sale taken at his residence.

Overt Act 242

On or about December 3, 2015, defendant **CHRISTOPHER GARCIA** sent a text message to another person stating that he had another gun to be used in the gang murder of G.M.

Overt Act 243

On February 3, 2016, SNM Gang member Carlos Herrera spoke with defendant **VINCENT GARDUÑO** and discussed gang business, including the recent federal arrests of SNM Gang members. SNM Gang member defendant Carlos Herrera instructed defendant **VINCENT GARDUÑO** to send him some "skina" (drugs).

Overt Act 244

On or about June 21, 2009, while in the custody of the NMCD, defendant **MANUEL JACOB ARMIJO** sent SNM Gang leader Gerald Archuleta a coded letter, via inter-prison mail, discussing the location and status of SNM Gang members, 9mm and .45 caliber firearms, and drugs, which were referred to as “blondie” and “donuts.”

All in violation of Title 18, U.S.C. § 1962(d).

Count 2

Murder of S.D.

Paragraphs one through fourteen of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

On or about February 4, 2005, in Bernalillo County, in the District of New Mexico, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the Sindicato de Nuevo Mexico Gang (SNM), and for the purpose of gaining entrance to and maintaining and increasing position in the Sindicato de Nuevo Mexico Gang (SNM), an enterprise engaged in racketeering activity, the defendants, **CHRISTOPHER GARCIA** and **ANTHONY CORDOVA, a.k.a. “Antone,”** did unlawfully, knowingly, and intentionally murder S.D., in violation of NMSA 1978, Sections 30-2-1 and 30-1-13.

All in violation of 18 U.S.C. §§ 1959(a)(1) and 2.

Notice of Special Findings

The Grand Jury repeats and re-alleges the accusations of Count 2 of the Indictment.

With respect to Count 2, the Grand Jury makes the following special findings that the defendant, **CHRISTOPHER GARCIA**:

- a. was 18 years of age or older at the time of the offense charged in Count 2 (18 U.S.C. § 3591(a));
- b. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and S.D. died as a direct result of the act (18 U.S.C. § 3591 (a)(2)(D));
- c. has previous convictions of other serious offenses (18 U.S.C. § 3592(c)(4));
- d. committed the offense after substantial planning and premeditation to cause the death of S.D. (18 U.S.C. § 3592(c)(9)).

With respect to Count 2, the Grand Jury makes the following special findings that the defendant, **ANTHONY CORDOVA**:

- a. was 18 years of age or older at the time of the offense charged in Count 2 (18 U.S.C. § 3591(a));
- b. intentionally killed S.D. (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally inflicted serious bodily injury that resulted in the death of S.D. (18 U.S.C. § 3591 (a)(2)(B));
- d. committed the offense after substantial planning and premeditation to cause the death of S.D. (18 U.S.C. § 3592(c)(9)).

Count 3

Conspiracy to Murder M.G.

Paragraphs one through fourteen of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

On or about September 2014, in Bernalillo County, in the District of New Mexico and elsewhere, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the Sindicato de Nuevo Mexico Gang (SNM), and for

the purpose of gaining entrance to and maintaining and increasing position in the Sindicato de Nuevo Mexico Gang (SNM), an enterprise engaged in racketeering activity, the defendant, **RICHARD GALLEGOS a.k.a. "Dopey,"** and others known and unknown to the grand jury, did unlawfully, knowingly, and intentionally conspire to murder M.G., in violation of NMSA 1978, Sections 30-2-1 and 30-28-2.

All in violation of 18 U.S.C. § 1959(a)(5).

Count 4

Murder of M.G.

Paragraphs one through fourteen of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

On or about September 28, 2014, in Bernalillo County, in the District of New Mexico, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the Sindicato de Nuevo Mexico Gang (SNM), and for the purpose of gaining entrance to and maintaining and increasing position in the Sindicato de Nuevo Mexico Gang (SNM), an enterprise engaged in racketeering activity, the defendant, **RICHARD GALLEGOS a.k.a. "Dopey,"** did unlawfully, knowingly, and intentionally murder M.G., in violation of NMSA 1978, Sections 30-2-1 and 30-1-13.

All in violation of 18 U.S.C. §§ 1959(a)(1) and 2.

Notice of Special Findings

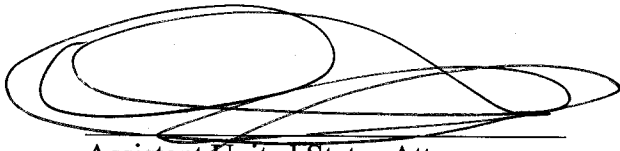
The Grand Jury repeats and re-alleges the accusations of Counts 3 and 4 of the Indictment.

With respect to Count 4, the Grand Jury makes the following special findings that the defendant, **RICHARD GALLEGOS:**

- a. was 18 years of age or older at the time of the offense charged in Count 4 (18 U.S.C. § 3591(a));
- b. intentionally killed M.G. (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally inflicted serious bodily injury that resulted in the death of M.G. (18 U.S. C. § 3591 (a)(2)(B));
- d. committed the offense after substantial planning and premeditation to cause the death of M.G. (18 U.S.C. § 3592(c)(9)).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney

04/21/16 2:28PM